

Senate Bill 259

By: Senator Unterman of the 45th

A BILL TO BE ENTITLED
AN ACT

To amend Article 7 of Chapter 3 of Title 47 of the Official Code of Georgia Annotated, relating to retirement allowances, disability benefits, and spouses' benefits under the Teachers Retirement System of Georgia, so as to provide that the University System of Georgia may employ a retired member of such retirement system as a full-time instructor at a nursing school; to provide that a retired member of such retirement system may return to full-time employment as a teacher at a nursing school and retain his or her retirement benefits; to provide for conditions; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 7 of Chapter 3 of Title 47 of the Official Code of Georgia Annotated, relating to retirement allowances, disability benefits, and spouses' benefits under the Teachers Retirement System of Georgia, is amended by adding a new Code section to read as follows:
"47-3-127.2.

(a) As used in this Code section, the term 'full-time instructor' means a registered nurse employed by the University System of Georgia who has as his or her sole responsibility the academic instruction of students in a school of nursing.

(b)(1) The University System of Georgia may employ a retired member of this retirement system who has been retired at least 12 months as a full-time instructor, and such person shall be subject to the provisions of subsection (c) of this Code section.

(2) The salary paid to any retired member employed as a full-time instructor under this Code section shall be determined pursuant to an agreement between the retired member and the employing unit. No such retired member shall receive any further creditable service as a result of such employment and shall in all ways be considered by this retirement system solely as a beneficiary.

(3) The University System of Georgia shall pay all employer and employee contributions to this retirement system as otherwise provided in this chapter; provided, however, that no such retired member shall receive any further creditable service as a result of such employment and shall in all ways be considered by this retirement system solely as a beneficiary.

(c) Any other provision of this article to the contrary notwithstanding, a retired member of this retirement system who has been retired for at least 12 months may return to service as a full-time instructor and his or her benefits under this article shall not be affected. Any such retired member so employed shall not be considered an active member of this retirement system and shall not accrue any additional benefits or further creditable service as a result of such employment and shall in all ways be considered by this retirement system solely as a beneficiary. The provisions of this subsection shall not become a part of the employment contract and shall be subject to future legislation.

(d) The provisions of this Code section shall be automatically repealed on June 30, 2016."

SECTION 2.

This Act shall become effective on July 1, 2010, only if it is determined to have been concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not become effective and shall be automatically repealed in its entirety on July 1, 2010, as required by subsection (a) of Code Section 47-20-50.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.